



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 09/484,861

Atty. Docket No.: SFT-101

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Art Unit: 3623

Applicant: Wilkins et al.

Examiner: A. K. Robinson Boyce

Title: INTERNET-ENABLED LEAD GENERATION

Declaration under 37 C.F.R. 1.131

Commissioner for Patents
Washington, DC 20231

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I do solemnly and sincerely declare as follows:

- This declaration asserts that the claimed invention of the above application was conceived and reduced to practice prior to January 4, 1999, the effective date of the primary reference, U.S. Pat. No. 6,236,977. This declaration further asserts that the claimed invention of the above application was conceived prior to March 11, 1998, the effective date of the secondary reference, U.S. Pat. No. 6,286,005, and that due diligence was exercised from prior to the date of conception to a subsequent reduction to practice.
- The attached Exhibit A, "Sift, Inc. Business Plan", dated November 15, 1997, establishes the conception date of the claimed invention of the above patent application. The Exhibit A includes the Table of Contents, pages 1-2, and Appendix A.3. The Appendix A.3, "A Prospector Enhanced Intender Lead" shows an identical drawing of Figure 9 of the above application, explicitly illustrating an intender lead, a purchase indicator (posting), contact information (profile), and auxiliary data identifying potential future purchases (need).
- The attached Exhibit B details the completion of the pilot test referenced in the Exhibit A, page 2, second to the last paragraph. The attached Appendix A of the Exhibit B details the progress of the pilot test in February 1998. The pilot test was completed in April 1998. A report thereof was created on May 5, 1998, which is attached to the Exhibit B as the Appendix B. The pilot test validated the quality of the intender leads and thus marked the completion of the claimed invention. Completion of the invention within one year of conception is evidence of diligence. The effective filing date of the above application also occurred within one year of the completion of the invention.
- The attached Exhibit C, "Internet Direct Marketing", was published in e-Business Advisor, pp. 32, 34, 36 and 37, September 1998. The Exhibit C further shows that actual reduction to practice of the claimed invention of the above patent application had occurred in this country prior to January 4, 1999, the effective date of the aforementioned primary reference.
- The attached Exhibit D, "ProspectorTM," copyrighted 1998 by Sift, Inc., also shows that actual reduction to practice of the claimed invention of the above patent application had occurred in this country prior to January 4, 1999, the effective date of the aforementioned primary reference.

Page 2, right column, of the Exhibit D shows "An Enhanced Intender Lead", which is also identical to the aforementioned drawing in the Exhibit A and to Figure 9 of the above application, and which explicitly illustrates an intender lead, a purchase indicator (posting), contact information (profile), and auxiliary data identifying potential future purchases (need).

- The attached Exhibits A, B, C, and D describe and show how to automatically generate intender leads by monitoring (searching and accessing) free form and unstructured classified ads, newsgroups, mailing lists, and web forums (sources) to find postings (purchase indicators) that identify intenders from prospects, as claimed in claim 1 of the above application.
- The remaining claims (3-33 and 35-46) are methods and program codes that implement/perform the above method, and are therefore specified in the attached Exhibits A, B, C, and D as described above.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information or belief are believed to be true; and further that I acknowledge that any willful false statements and the like so made herein are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: _____

Jeffrey Kohl Wilkins
Jeffrey Kohl Wilkins

Date: _____

1/10/03

Signature: _____

Jack Marshall Zoken
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Date: _____

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